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Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

ANIIKA OKJE ERDMANN-BROWNING
and JACQUELINE BENITEZ, individually
and on behalf of all others similarly situated,

Plaintiffs,

V.

THOMAS J. VILSACK, Secretary, United States Department of Agriculture, in his official capacity; SHALANDA YOUNG, Director of the United States Office of Management and Budget, in her official capacity.

Defendants.

Case No.: 3:23-cv-04678

**DECLARATION OF REBECCA SILVA
IN SUPPORT OF PLAINTIFFS' *EX
PARTE* APPLICATION FOR
TEMPORARY RESTRAINING ORDER
AND ORDER TO SHOW CAUSE RE:
PRELIMINARY INJUNCTION**

CLASS ACTION

Hearing Date: September 13, 2023
Time: TBD

Action filed: September 12, 2023

DECLARATION OF REBECCA SILVA

I, Rebecca Silva, declare as follows:

1. The facts set forth in this declaration are based on my firsthand knowledge, and that if called as a witness I could and would competently testify under oath to the following statements.

2. I am the Director of Government Relations for the California Association of Food Banks (Food Banks). I oversee the Food Banks' state and federal policy agenda to address hunger and poverty and work closely with food banks on a wide range of issues that affect food security in California, including public benefits, food recovery, and supply chain innovation.

3. Food Banks is a member organization supporting 41 urban, suburban, and rural food banks across California. Our member food banks generally supply food to more than 6,000 local community organizations, including food pantries, soup kitchens, and religious centers, which then distribute food directly to individuals and families.

4. Food Banks advocates for anti-hunger programs and policies at the federal, state, and local levels and also works to improve California’s CalFresh system, known federally as the Supplemental Nutrition Assistance Program (SNAP). Food Banks and our member food banks know first-hand the enormous scale and reach of SNAP as compared to the charitable food sector. According to the national food bank organization Feeding America,¹ for every meal that food banks distribute, SNAP provides nine.

5. In August 2023, Food Banks conducted a survey of member food banks and found that more than two-thirds of respondents saw an increase in the number of community members seeking food assistance in July compared to the second quarter (April – June) of 2023. Moreover, member food banks are stretched thin and one even utilizes a waitlist for the public to receive food.

¹ Feeding America, available at <https://www.feedingamerica.org/sites/default/files/2020-03/Feeding%20America%20orange%20slice%20AHP%202020.pdf> (last visited September 11, 2023)

1 6. Even if food banks had an increase in food supply and capacity to serve the
 2 public, food banks cannot entirely substitute the loss of SNAP benefits. For example, many food
 3 banks are unable to consistently distribute baby formula, while it can always be purchased with
 4 SNAP. Also, individuals with food allergies or sensitivities, such as celiac disease or nut and
 5 seed allergies, must use SNAP to meet their dietary needs because food banks cannot always
 6 make these accommodations. Finally, food banks are typically open during business hours and
 7 this can create a challenge for hourly-wage workers who may not be able to visit a food bank site
 8 without missing work, which can jeopardize stable employment.

9 7. The loss of SNAP benefits will result in a dramatic rise in food insecurity, which
 10 is already high. According to the analysis of the US Census Bureau Household Pulse Survey by
 11 the Northwestern Institute for Public Research, as of August 2023, nearly one in four households
 12 in California are food insecure, with deep disparities for Black and Hispanic households, for
 13 whom food insecurity impacts one in three households.²

14 8. COVID-era emergency food supports were critical to meeting the need across
 15 California. With the end of the SNAP Emergency Allotments and Pandemic EBT emergency
 16 supports, in 2023 California is losing one third of the food safety net compared to 2021.

17 9. With inflation still driving up the cost of groceries, and the increased demand
 18 after the end of the emergency supports, California food banks cannot be the only solution;
 19 hungry Californians also need the certainty of their SNAP benefits to make ends meet and keep
 20 their families and children nourished.

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25 2 United States Census Bureau, *Measuring Household Experiences during the Coronavirus*
 26 *Pandemic*, available at <https://www.census.gov/data/experimental-data-products/household-pulse-survey.html> (last visited September 11, 2023) Northwestern Institute of Policy Research,
 27 available at <https://www.ipr.northwestern.edu/apps/economicindicators.html> (last visited
 28 September 11, 2023)

1 I declare under penalty of perjury that the foregoing is true and correct. I executed this
2 declaration on September 11, 2023, in Washington, D.C.

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5 **Rebecca Silva**
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7 Director of Government Relations
8 for the California Association of Food Banks
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